



APPLICATION SERIAL No. 09/767,680
ATT'Y DOCKET No. 58982.000010

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/767,680 Confirmation No.: 4425
Applicant : Asger GEPPEL *et al*
Filed : January 24, 2001
Title : PORPHYRIN CONTAINING LACTIC ACID BACTERIAL CELLS
AND USE THEREOF
TC/Art Unit : 1652
Examiner: : Chih Min Kam, Ph.D.

Docket No. : 58982.000010
Customer No. : 21967

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

NOTICE OF APPEAL

Applicants hereby **appeal** to the Board of Patent Appeals and Interferences from the last decision of the Examiner in the Final Office Action rejecting claims 1, 4-17, 34-52, 56 and 57 in the above-captioned application.

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REMARKS

Applicants include herewith a check in the amount of \$500.00 for the notice of appeal fee according to 37 C.F.R. § 41.20(b)(1). Applicants previously submitted on September 26, 2005, a petition for a three month extension of time with the requisite fee of \$1,020.00, thereby extending the period for reply up to and including October 19, 2005. Accordingly, Applicants submit that no additional fees are believed due with this submission. However, if any additional

fees are determined to be required, the Commissioner is hereby authorized to charge these fees to the undersigned's **Deposit Account No. 50-0206**.

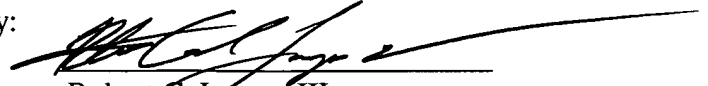
Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: October 19, 2005

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By:


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